

Application No.: 10/683,758

Docket No.: JCLA12019

REMARKS**I. Present Status of the Application**

The Office Action rejected claims 1-3 under 35 U.S.C. § 103(a), as being unpatentable over Watanabe et al. (JP 04313647) in view of Morita et al. (US 4,262,492) and Fujii et al. (US 6,467,296).

Upon entry of the amendments in this response, claim 1 is amended to further define the scope of the invention. Support of the amendment can be found, for example, in the specification, in paragraphs [0023], [0028] and [0029]. Applicants believe that the foregoing amendments do not introduce new matter. Thus, reconsideration of those claims is respectfully requested.

II. Response to Rejections**Rejections under 35 U.S.C. § 103(a)**

The Office Action rejected claims 1-3 under 35 U.S.C. § 103(a), as being unpatentable over Watanabe et al. (JP 04313647) in view of Morita et al. (US 4,262,492) and Fujii et al. (US 6,467,296). Applicants respectfully traverse the rejection as applied to the amended claims for at least the reasons set forth below.

To establish prima facie obviousness of a claimed invention, all the claim limitation must be taught or suggested by the prior art. M.P.E.P. § 2143.

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The independent claim 1, as amended, provides a refrigerant cycling device comprising a compressor, an intermediate cooling circuit, and a valve device. The valve device is defined as:

a valve device for opening a passage that allows the refrigerant discharged from the first rotary compression element passing through the intermediate cooling circuit before entering the second rotary compression element during the cooling operation.

(Emphases added). Thus, the amended claim 1 provides such a structural feature that, during the cooling operation, the passage exists from the first rotary compression element, through the valve, through the intermediate cooling element, and further to the secondary rotary compression element.

However, Watanabe et al. disclosed, in Fig. 1, a bypassing pipe (6) with a two-way valve (7) controlling the open and close of the bypassing pipe (6) without the foregoing structural feature.

Apparently, the above-mentioned structural distinction between the claimed invention and Watanabe et al. is significant. None of the cited prior art references teaches the structural feature of the claimed invention or make any suggestion on modification of the prior art structure.

Thus, claim 1, as amended, is not rendered obvious over the prior art references. Consequently, claims 2 and 3, as dependent on claim 1, are also non-obvious over the prior art references as a matter of law.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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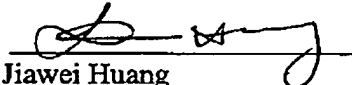
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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